



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2303249
Applicant Name: Brittani Ard for JRJ Development
Address of Proposal: 5058 Harold Place NE

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land.

The following approval is required:

Short Subdivision – to create two parcels of land.
(SMC Chapter 23.24)

BACKGROUND DATA

Zoning: Single Family 5000

Date of Site Visit: July 9, 2003

Uses on Site: Single Family Residence

Substantive Site Characteristics: Site slopes approximately 12 feet from front property line to rear of lot. Streets are improved with curbs and sidewalks and streets trees. Two Western White Pine trees, one on the northerly property line and one on the southerly property line. Applicant states they will save existing Western White Pine located on northerly property line.

Public Comment: Several comment letters were received expressing concerns over height and setbacks of the new structures and how they will fit into the neighborhood. There were concerns of drainage problems, construction noise, construction hours, parking, density and removal of the existing trees and hedges on the property.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following **applicable** facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DCLU, Water (SWD), Fire Departments (SFD), Seattle City Light, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions of the set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

The owner(s) and/or responsible party(s) shall:

Conditions of Approval Prior to Recording

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set

shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. All existing structures shall be shown on the face of the plat, and their distances to the property lines dimensioned. Lot areas shall be shown on the plat. The lot areas of each parcel shall be shown on the recording documents.

2. Submit the recording fee and final recording forms for approval.
3. Add the conditions of approval after recording on the face of the plat, or on a separate page if needed. If the conditions are on a separate page, insert on the plat "for conditions of approval after recording see page__ of __." If necessary, renumber the pages.
4. Insert the following on the face of the plat; "Any tree removal or replacement is subject to the requirements of Seattle Municipal Code 23.44.008I."

Prior to Sale or Transfer of Ownership

5. The existing single family structure and accessory garage shall be removed prior to sale or transfer of ownership.

Prior to Issuance of any Building Permit

6. Attach a copy of the recorded short subdivision to all sets of plans for any building permit application.

Signature: (signature on file) Date: November 20, 2003
Lori Swallow, Land Use Planner
Department of Planning and Development